



Atty. Dkt. No. 053466-0398

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Shuji ICHIKAWA et al.
Title: OIL-BASED INK COMPOSITION FOR A BALL-POINT
PEN AND AN OIL-BASED BALL-POINT PEN
Appl. No.: 10/528,405
Filing Date: May 17, 2005
Examiner: Edward J. Cain
Art Unit: 1796
Confirmation Number: 4443

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Your Petitioner, MITSUBISHI PENCIL CO., LTD., having its principal place of business at 23-37, Higashi-ohi 5-chome, , Shinagawa-Ku, Tokyo 140-8537 Japan , represents that it is the owner of the entire right, title, and interest in and to U.S. Patent Application Serial No. 10/528,405, filed September 19, 2003, which is a continuation of U.S. Patent Application No. PCT/JP2003/012034, filed September 19, 2003, by virtue of an Assignment filed and recorded on May 17, 2005, on Reel/Frame 016248/0923, in the United States Patent and Trademark Office, a copy of which is attached hereto as APPENDIX A. Further, your Petitioner represents that it is the owner of U.S. Patent No. 7,381,754, granted on June 3, 2008, which issued on U.S. Patent Application No. 10/197,888, filed July 19, 2002, by virtue of an Assignment filed and recorded on July 19, 2002, on Reel/Frame 013120/0187, in the United States Patent and Trademark Office, a copy of which is attached hereto as APPENDIX B.

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Your Petitioner, MITSUBISHI PENCIL CO., LTD., hereby disclaims the terminal part of the term of any patent granted on the above identified patent application which would extend beyond the full statutory term, as shortened by any terminal disclaimer, of U.S. Patent 7,381,754, and hereby agrees that any patent so granted on the above identified patent application shall be enforceable only for and during such period that the legal title to U.S. Patent 7,381,754 shall be the same as the legal title to any patent granted on the above identified patent application, this agreement to run with any patent granted on the above identified patent application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on the above identified patent application, prior to the full statutory term of U.S. Patent 7,381,754 as defined in 35 U.S.C. §§154-156 and 173, in the event that U.S. Patent 7,381,754 expires for failure to pay a maintenance fee, is held unenforceable or is found invalid in a final judgment by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims canceled by a reexamination certificate or as a result of an interference proceeding, or is otherwise not deemed to provide the rights conveyed by 35 USC §154, prior to the full statutory term of U.S. Patent 7,381,754 as defined in 35 USC §§154-156 and 173, except for the separation of legal title stated above. Further, Petitioner does not disclaim any terminal part of a patent granted on the above identified patent application that would extend beyond the present termination of U.S. Patent 7,381,754, in the event that such present term is extended by virtue of compliance with the conditions for term extension of any present or future patent term extension provisions of the patent law, including but not limited to 35 U.S.C. §§155, 155A or 156, and without waiving Petitioner's right to extend the term of a patent granted on the above identified patent application to the extent provided by law.

The undersigned, being the Attorney of Record for the above identified patent application, and duly authorized to act on behalf of Petitioner, certifies that he has reviewed the Assignments attached as APPENDICES A and B, and to the best of his knowledge and belief, legal title to the above identified patent application and U.S. Patent 7,381,754 rests with Petitioners, MITSUBISHI PENCIL CO., LTD.. The undersigned declares that all statements made herein of his own knowledge are true and that all statements made on

information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing therefrom.

Respectfully submitted,

Date October 27, 2008

By 

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10/528,405

Oil-based ink composition for ballpoint pen and ball-point pen using oil-based ink

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Patent Assignment Abstract of Title**Total Assignments: 1****Application #:** 10528405**Filing Dt:** 05/17/2005**Patent #:** NONE**Issue Dt:****PCT #:** NONE**Publication #:** US20050228070**Pub Dt:** 10/13/2005**Inventors:** Shuji Ichikawa, Miyuki Shoji**Title:** Oil-based ink composition for ballpoint pen and ball-point pen using oil-based ink**Assignment: 1****Reel/Frame:** 016248 / 0923**Received:** 05/17/2005**Recorded:** 05/17/2005**Mailed:** 07/13/2005**Pages:** 2**Conveyance:** ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).**Assignors:** ICHIKAWA, SHUJI**Exec Dt:** 04/28/2005

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Exec Dt: 04/28/2005**Assignee:** MITSUBISHI PENCIL CO., LTD.

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10/197,888 OIL-BASED INK COMPOSITION AND USES THEREOF

10-23-
2008::11:37:35**Patent Assignment Abstract of Title****Total Assignments: 1****Application #:** 10197888**Filing Dt:** 07/19/2002**Patent #:** 7381754**Issue Dt:** 06/03/2008**PCT #:** NONE**Publication #:** US20030134937**Pub Dt:** 07/17/2003**Inventors:** Shuuji Ichikawa, Takayuki Ikai**Title:** OIL-BASED INK COMPOSITION AND USES THEREOF**Assignment: 1****Reel/Frame:** 013120 / 0187**Received:** 07/29/2002**Recorded:** 07/19/2002**Mailed:** 09/25/2002**Pages:** 2**Conveyance:** ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).**Assignors:** ICHIKAWA, SHUUJI**Exec Dt:** 07/05/2002

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Exec Dt: 07/05/2002**Assignee:** MITSUBISHI PENCIL CO., LTD.
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